

**IN THE STATE COURT OF GWINNETT COUNTY
STATE OF GEORGIA**

BOK HEE HYUN AND YOUNG DO YOU,)	
)	
Plaintiff,)	
)	CIVIL ACTION
vs.)	FILE NO.: 23-C-08575-S1
)	
COSTCO WHOLESALE CORPORATION,)	
)	
Defendant.)	

**ANSWER OF DEFENDANT COSTCO WHOLESALE CORPORATION TO
PLAINTIFFS' COMPLAINT**

COMES NOW, Defendant Costco Wholesale Corporation (hereinafter "this Defendant" or "Costco"), in the above-styled civil action, and for its Answer to Plaintiffs' Complaint, shows the Court as follows:

FIRST DEFENSE

The Plaintiffs' Complaint fails to state a claim upon which relief can be granted.

SECOND DEFENSE

No act or omission on the part of this Defendant proximately caused Plaintiffs' alleged damages.

THIRD DEFENSE

At all times material hereto, this Defendant acted reasonably and prudently. As such, there can be no recovery against this Defendant whatsoever.

FOURTH DEFENSE

Venue is improper as to this Defendant and, therefore, this case must be dismissed or transferred.

<p>EXHIBIT</p> <p>B</p>

FIFTH DEFENSE

The damages complained of by the Plaintiffs were caused by other persons, entities and/or circumstances beyond the control of this Defendant. As such, there can be no recovery against this Defendant whatsoever.

SIXTH DEFENSE

Defendant responds to the individually numbered allegations of the Plaintiffs' Complaint as follows:

PARTIES, JURISDICTION, AND SERVICE OF PROCESS

1.

This Defendant lacks information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1 of Plaintiffs' Complaint and, therefore, this paragraph can neither be admitted nor denied.

2.

The allegations contained in Paragraph 2 of Plaintiffs' Complaint are generally admitted.

3.

The allegations contained in Paragraph 3 of Plaintiffs' Complaint are generally admitted.

4.

The allegations contained in Paragraph 4 are denied as stated.

STATEMENT OF FACTS

5.

The allegations contained in Paragraph 5 of Plaintiffs' Complaint are generally admitted.

6.

This Defendant lacks information sufficient to form a belief as to the truth of the allegations contained in Paragraph 6 of Plaintiffs' Complaint and, therefore, this paragraph can neither be admitted nor denied.

NEGLIGENCE

7.

The allegations contained in Paragraph 7 of Plaintiffs' Complaint are denied, including subparagraphs i through v.

8.

The allegations contained in Paragraph 8 of Plaintiffs' Complaint are denied.

9.

The allegations contained in Paragraph 9 of Plaintiffs' Complaint are denied.

PUNITIVE DAMAGES

10.

This Defendant incorporates herein by reference its response to Paragraphs 1 – 9 above as if fully set forth herein.

11.

The allegations contained in Paragraph 11 of Plaintiffs' Complaint are denied.

12.

The allegations contained in Paragraph 12 of Plaintiffs' Complaint are denied.

LOSS OF CONSORTIUM

13.

This Defendant incorporates herein by reference its response to Paragraphs 1 – 12 above as if fully set forth herein.

14.

This Defendant lacks information sufficient to form a belief as to the truth of the allegations contained in Paragraph 14 of Plaintiffs' Complaint and, therefore, this paragraph can neither be admitted nor denied. However, it is denied that this Defendant is liable for any of the damages alleged in Paragraph 14 of Plaintiffs' Complaint. It is further denied that this Defendant caused or contributed to any of the injuries referenced in Paragraph 14 of Plaintiffs' Complaint.

15.

The allegations contained in Paragraph 15 of Plaintiffs' Complaint are denied. It is further denied that Plaintiffs are entitled to the relief sought following Paragraph 15 of Plaintiffs' Complaint, including subparagraph (a) through (g).

16.

Any and all allegations not specifically admitted herein are denied.

WHEREFORE, having fully Answered, Defendant demands judgment in its favor with costs cast against the Plaintiffs. Defendant further demands a Twelve Person jury at the trial of this case.

Respectfully submitted this 20th day of December, 2023.

MCGREW MILLER BOMAR & BAGLEY, LLC

/s/ Heather H. Miller

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the within and foregoing pleading upon all parties to this matter electronically via Odyssey eFileGA and addressed as follows:

Tae K. Song
Law Office of Tae K. Song
2550 Pleasant Hill Road
Suite 433
Duluth, GA 30096

This 20th day of December, 2023.

MCGREW MILLER BOMAR & BAGLEY, LLC

/s/ Heather H. Miller

HEATHER H. MILLER
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VERIFIED ANSWER OF COSTCO WHOLESALE CORPORATION

Personally appeared before me, the undersigned attesting officer, duly qualified to administer oaths, Leigh Ann Ruijters, on behalf of COSTCO WHOLESALE CORPORATION, who after being duly sworn, deposes and states on oath that the facts set forth in the foregoing Answer of Defendant Costco Wholesale Corporation to Plaintiffs' Complaint are true and correct to the best of her knowledge and belief. Leigh Ann Ruijters further states that the information is not based solely on her personal knowledge, but includes information obtained by and through her attorneys and that the precise wording of the Answer was, in fact, prepared by the attorneys in the above-styled matter.

This 19th day of Dec 2023.

Leigh Ann Ruijters
Leigh Ann Ruijters
On Behalf of Defendant Costco Wholesale
Corporation

Subscribed and sworn before me

This 19th day of December, 2023.

Cyd Dardon
Notary Public

My Commission Expires: 12/19/23

